Introduced by Senator Dutton

February 22, 2005

An act to amend Section 10296 of the Public Contract Code, relating to state contracts.

LEGISLATIVE COUNSEL'S DIGEST

SB 837, as introduced, Dutton. Department of General Services: state contracts: goods and services.

Existing law requires that all contracts entered into by a state agency for specified services, with limited exceptions, be approved by the Department of General Services, and contain a statement in which the contractor swears under penalty of perjury that no more than one final, unappealable finding of contempt of court by a federal court has been issued against the contractor for failure to comply with an order of the National Labor Relations Board, as specified.

This bill would make technical, nonsubstantive changes to these provisions.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 10296 of the Public Contract Code is
2 amended to read:
3 10296. Every contract entered into by any state agency for
4 any purpose specified in subdivisions (a) ~~through~~ *to* (d),
5 inclusive, of Section 10295 shall contain a statement by which
6 the contractor swears under penalty of perjury that no more than
7 one final, unappealable finding of contempt of court by a federal
8 court has been issued against the contractor within the

1 immediately preceding two-year period because of the
2 contractor's failure to comply with an order of a federal court
3 which orders the contractor to comply with an order of the
4 National Labor Relations Board. For purposes of this section, a
5 finding of contempt does not include any finding ~~which~~ *that* has
6 been vacated, dismissed, or otherwise removed by the court
7 because the contractor has complied with the order which was
8 the basis for the finding. The state may rescind any contract in
9 ~~which~~ *that* the contractor falsely swears to the truth of the
10 statement required by this section.

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